

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

10/523853

Rec'd PCT/PTO 07 FEB 2005

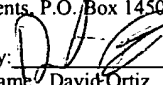
Applicant: KOSAKA  
 Docket: 10921.0279USWO  
 Title: TEST PIECE FOR PROTEIN ASSAY AND METHOD FOR MANUFACTURING THE SAME

## CERTIFICATE UNDER 37 CFR 1.10

'Express Mail' mailing label number: EV 407257735 US

Date of Deposit: February 7, 2005

I hereby certify that this paper or fee is being deposited with the United States Postal Service 'Express Mail Post Office To Addressee' service under 37 CFR 1.10 and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By:   
 Name: David Ortiz

Mail Stop PCT  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

We are transmitting herewith the attached:

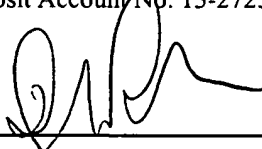
- ☒ Transmittal sheet, in duplicate, containing Certificate under 37 CFR 1.10.
- ☒ National Stage PCT Patent Application: Spec. 11 pgs; 18 claims; Abstract 1 pgs.  
The fee has been calculated as shown below in the 'Claims as Filed' table.
- ☒ A signed Combined Declaration and Power of Attorney
- ☒ Assignment of the invention to ARKRAY, INC., Recordation Form Cover Sheet
- ☒ A check in the amount of \$1000.00 to cover the Filing Fee
- ☒ A check for \$40.00 to cover the Assignment Recording Fee.
- ☒ Information Disclosure Statement, Form 1449, 3 reference(s).
- ☒ Application Data Sheet, 3 pages.
- ☒ Other: Preliminary Amendment (3 pages), Form PTO 1390, COMMUNICATION UNDER 37 C.F.R. §1.32(c)(3), International Publication Page WO 2004/015424 A1, International Request Form, Form PCT/IB/304, Form PCT/IB/308, Form PCT/ISA/210, Translator's Declaration
- ☒ Return postcard

## CLAIMS AS FILED

Number of Claims Filed	No.	In Excess of	Extra	Rate	Fee
Total Claims	18	20	0	\$50.00	\$0.00
Independent Claims	2	3	0	\$200.00	\$0.00
Multiple Dependent Claims Fee					\$0.00
Basic Filing Fee					\$300.00
Search Fee					\$200.00
Examination Fee					\$500.00
Utility Application Size Fee	16	100	0	\$250.00	\$0.00
Total					\$1000.00

Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.  
 P.O. Box 2903, Minneapolis, MN 55402-0903  
 (612) 332-5300

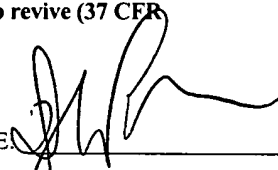
By:   
 Name: Douglas P. Mueller  
 Reg. No.: 30,300  
 Initials: DPM/acp

23552

PATENT TRADEMARK OFFICE

(PTO TRANSMITTAL - NEW FILING)

FORM PTO-1390 (REV 10-94)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER 10921.0279USWO
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371			U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) Unknown <b>10/523853</b>
INTERNATIONAL APPLICATION NO. PCT/JP2003/009889	INTERNATIONAL FILING DATE August 4, 2003	PRIORITY DATE CLAIMED August 9, 2002	
TITLE OF INVENTION TEST PIECE FOR PROTEIN ASSAY AND METHOD FOR MANUFACTURING THE SAME			
APPLICANT(S) FOR DO/EO/US KOSAKA			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(I).</li> <li>4. <input type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</li> </ol> </li> <li>6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)).</li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> have been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).</li> <li>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol>			
<b>Items 11. to 16. below concern document(s) or information included:</b>			
11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.			
12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.			
13. <input checked="" type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND of SUBSEQUENT preliminary amendment.			
14. <input type="checkbox"/> A substitute specification.			
15. <input type="checkbox"/> A change of power of attorney and/or address letter.			
16. <input checked="" type="checkbox"/> Other items or information: Application Data Sheet (3 pages), Form 1449 (3 references), COMMUNICATION UNDER 37 C.F.R. §1.32(c)(3), International Publication Page WO 2004/015424 A1, International Request Form, Form PCT/IB/304, Form PCT/IB/308, Form PCT/ISA/210, Translator's Declaration			

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
Unknown <b>10/523853</b>		PCT/JP2003/009889		10921.0279USWO	
<b>BASIC NATIONAL FEE (37 CFR 1.492(a) (1)-(5)):</b>					
[X] a) Basic National fee.....\$300.00				\$300.00	
[X] b) Examination fee.....\$200.00				\$200.00	
[X] c) Search fee.....\$500.00				\$500.00	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$1000.00</b>	
Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional set of sheets (1 set= 50 sheets)	Rate		
16 -100 =	0 /50 =	0	X \$250.00	\$0.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than [ ] 20 [ ] 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$0.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	18 -20 =	0	X \$50.00	\$0.00	
Independent claims	2 -3 =	0	X \$200.00	\$0.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$0.00	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$1000.00</b>	
Reduction by 1/2 for filing by small entity, if applicable. Small entity status is claimed pursuant to 37 CFR 1.27				\$0.00	
<b>SUBTOTAL =</b>				<b>\$1000.00</b>	
Processing fee of \$130.00 for furnishing the English translation later than [ ] 20 [ ] 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+ \$0.00	
<b>TOTAL NATIONAL FEE =</b>				<b>\$1000.00</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+ \$40.00	
<b>TOTAL FEES ENCLOSED =</b>				<b>\$1000.00 &amp; \$40.00</b>	
				Amount to be refunded	\$0.00
				charged	\$0.00
a. [X] Check(s) in the amount of <u>\$1000.00 &amp; \$40.00</u> to cover the above fees is enclosed.					
b. [ ] Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.					
c. [X] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>13-2725</u> .					
<b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</b>					
SEND ALL CORRESPONDENCE TO: Douglas P. Mueller MERCHANT & GOULD P.O. Box 2903 Minneapolis, MN 55402-0903					
				SIGNATURE 	
				NAME: Douglas P. Mueller	
				REGISTRATION NUMBER: 30,300	

International Application No.: PCT/JP2003/009889

International Filing Date: August 4, 2003

Assignee: ARKRAY, Inc.

Title of the Invention:

TEST PIECE FOR PROTEIN ASSAY, AND METHOD FOR MANUFACTURING THE SAME

DECLARATION

I, Yasumitsu SUZUKI, hereby declare:

that I am a Patent Attorney belonging to KYOWEY INT'L of 2-32-1301 Tamatsukuri-Motomachi, Tennoji-ku, Osaka, 543-0014 Japan;

that I am well acquainted with both the Japanese and English languages;

that, for entering the national phase of the above-identified international application, I have prepared an English translation of the Japanese specification and claims as originally filed with the Japanese Patent Office (Receiving Office); and

that the said English translation corresponds to the said Japanese specification and claims to the best of my knowledge.

I also declare that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statements is directed.

Declared at Osaka, Japan on January 17, 2005

By Yasumitsu SUZUKI

Signature 

S/N Unknown

10/523853  
BT01 Rec'd PATENT 07 FEB 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: KOSAKA Serial No.: Unknown  
Filed: concurrent herewith Docket No.: 10921.0279USWO  
Title: TEST PIECE FOR PROTEIN ASSAY AND METHOD FOR  
MANUFACTURING THE SAME

CERTIFICATE UNDER 37 CFR 1.10:

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By: 

Name: David Ortiz

COMMUNICATION UNDER 37 C.F.R. §1.32(c)(3)

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §1.32 (c)(3) please appoint the following practitioners named in the Power of Attorney to be recognized by the U.S. Patent Office as being of record in the above-identified application:

Brian H. Batzli (32,960)  
John A. Clifford (30,247)  
John J. Gresens (33,112)  
Michael D. Schumann (30,422)

James A. Larson (40,443)  
Douglas P. Mueller (30,300)  
Curtis B. Hamre (29,165)  
Gregory A. Sebald (33,280)

The undersigned was named on the Power of Attorney.



Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 332-5300

Dated: February 7, 2005

By 

Douglas P. Mueller  
Reg. No. 30,300

DPM/acp